

Supreme Court of Pennsylvania

Court of Common Pleas

Civil Cover Sheet

ALLEGHENY

County

For Prothonotary Use Only:

Docket No:

GD-20-001960

TOD SIGNATURE

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

Commencement of Action:

- ☐ Complaint ☒ Writ of Summons
☐ Transfer from Another Jurisdiction

- ☐ Petition
☐ Declaration of Taking

Lead Plaintiff's Name:

Constance M. McClusky and [REDACTED]

Lead Defendant's Name:

Victoria's Secret LLC

Are money damages requested? ☒ Yes ☐ NoDollar Amount Requested:
(check one)

- ☐ within arbitration limits
☒ outside arbitration limits

Is this a Class Action Suit?

☐ Yes ☒ No

Is this an MDJ Appeal?

☐ Yes ☒ No

Name of Plaintiff/Appellant's Attorney: William D. Phillips, Esquire

☐ Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

SECTION B

Nature of the Case: Place an "X" to the left of the **ONE** case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

TORT (do not include Mass Tort)

- ☐ Intentional
☐ Malicious Prosecution
☐ Motor Vehicle
☐ Nuisance
☒ Premises Liability
☐ Product Liability (does not include mass tort)
☐ Slander/Libel/Defamation
☐ Other:

MASS TORT

- ☐ Asbestos
☐ Tobacco
☐ Toxic Tort - DES
☐ Toxic Tort - Implant
☐ Toxic Waste
☐ Other:

PROFESSIONAL LIABILITY

- ☐ Dental
☐ Legal
☐ Medical
☐ Other Professional:

CONTRACT (do not include Judgments)

- ☐ Buyer Plaintiff
☐ Debt Collection: Credit Card
☐ Debt Collection: Other

- ☐ Employment Dispute:
 Discrimination
☐ Employment Dispute: Other

☐ Other:

CIVIL APPEALS

- Administrative Agencies
☐ Board of Assessment
☐ Board of Elections
☐ Dept. of Transportation
☐ Statutory Appeal: Other

☐ Zoning Board☐ Other:

REAL PROPERTY

- ☐ Ejectment
☐ Eminent Domain/Condemnation
☐ Ground Rent
☐ Landlord/Tenant Dispute
☐ Mortgage Foreclosure: Residential
☐ Mortgage Foreclosure: Commercial
☐ Partition
☐ Quiet Title
☐ Other:

MISCELLANEOUS

- ☐ Common Law/Statutory Arbitration
☐ Declaratory Judgment
☐ Mandamus
☐ Non-Domestic Relations
☐ Restraining Order
☐ Quo Warranto
☐ Replevin
☐ Other:

Updated 1/1/2011

EXHIBIT A

IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA

CONSTANCE M. MCCLUSKY and
~~THOMAS MCCLUSKY,~~
138 Piatt Estates Drive
Washington, PA 15301

Plaintiffs,

vs.

VICTORIA'S SECRET LLC
301 South Hills Village
Bethel Park, PA 15241

Defendant.

CIVIL DIVISION

G.D. 20- 001960

PRAECIPE FOR APPEARANCE AND
FOR ISSUANCE OF WRIT OF
SUMMONS

Filed on behalf of Plaintiff,
Constance M. McClusky and
Thomas McClusky

Counsel of record:

William D. Phillips, Esquire
PA I.D.#: 05484

Laura D. Phillips, Esquire
PA I.D.#: 202204

PHILLIPS, PHILLIPS & SMITH
DELACH, P.C.
29 East Beau Street
Washington, PA 15301
(724) 225-9933 - phone
(412) 225-4712 - fax

JURY TRIAL DEMANDED

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION

CONSTANCE M. MCCLUSKY and
~~THOMAS MCCLUSKY,~~

Plaintiffs,

vs.

VICTORIA'S SECRET LLC

Defendant.

G.D. 20- 001960

PRAECIPE FOR APPEARANCE AND FOR ISSUANCE OF WRIT OF SUMMONS

TO: Department of Court Records of Allegheny County, Pittsburgh, Pennsylvania

Kindly enter our appearance on behalf of the Plaintiff in the above captioned action. Please
also issue a Writ of Summons.

PHILLIPS, PHILLIPS & SMITH-DELACH, P.C.

Date: 2/3/2020

By:



William D. Phillips, Esquire
Laura D. Phillips, Esquire
Attorneys for Plaintiffs

EXHIBIT A

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION

CONSTANCE M. MCCLUSKY and
~~THOMAS MCCLUSKY,~~

Plaintiffs,

vs.

VICTORIA'S SECRET LLC

Defendant.

G.D. 20 -

WRIT OF SUMMONS

TO: VICTORIA'S SECRET LLC
301 South Hills Village
Bethel Park, PA 15241

YOU ARE NOTIFIED THAT THE ABOVE-NAMED PLAINTIFFS HAVE
COMMENCED AN ACTION AGAINST YOU.

Date: _____

Department of Court Records

Deputy

EXHIBIT A

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CONSTANCE M. MCCLUSKY,

Plaintiff,

v.

VICTORIA'S SECRET LLC

Defendant.

CIVIL ACTION-LAW

No. GD 20 001960

PRAECIPE FOR APPEARANCE

Filed on behalf of the Defendant:
Victoria's Secret Stores, LLC (improperly
named as Victoria's Secret LLC).

Counsel of Record for this party:

Joseph M. Morelli
Pa. I.D. #76237
jmorelli@perez-morris.com

Angela A. Savino
PA. I.D. #323473
asavino@perez-morris.com

Perez & Morris, LLC
8000 Ravine's Court
Suite 300
Columbus, Ohio 43235

Counsel of Record for Plaintiff:

William D. Phillips, Esquire
PA I.D. #05484

Laura D. Phillips, Esquire
PA I.D. #202204

Phillips, Phillips & Smith Delach, P.C.
29 East Beau Street
Washington, PA 15301

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CONSTANCE M. MCCLUSKY,

CIVIL ACTION-LAW

Plaintiff,

No. GD 20 001960

v.

VICTORIA'S SECRET LLC.

Defendant.

PRAECIPE FOR APPEARANCE

Kindly enter the appearance of Angela A. Savino and Joe M. Morelli on behalf of the Defendant, Victoria's Secret Stores, LLC (improperly named as Victoria's Secret, LLC) in the above-captioned matter.

Respectfully Submitted,

/s/Angela A. Savino

Angela A. Savino

asavino@perez-morris.com

Joe M. Morelli

jmorelli@perez-morris.com

Attorney for Victoria's Secret Stores, LLC

Perez & Morris, LLC

8000 Ravine's Edge Court

Suite 300

Columbus, Ohio 43235

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CONSTANCE M. MCCLUSKY,, CIVIL ACTION-LAW

Plaintiff,

No. GD 20 001960

v.

VICTORIA'S SECRET LLC

Defendant.

CERTIFICATE OF SERVICE

I, Angela A. Savino, hereby certify that a true and correct copy of the within Praecipe for Appearance was served this 24th day of March, 2020, via email upon counsel of record listed below:

William D. Phillips, Esquire
wdp@pflo.com
Laura D. Phillips, Esquire
ldp@pflo.com
Phillips, Phillips & Smith Delach P.C
29 East Beau Street
Washington, PA 15301

Respectfully Submitted,

/s/Angela A. Savino_____

Angela A. Savino
Attorney for Defendant
Victoria's Secret Stores, LLC

**CERTIFICATE OF
COMPLIANCE**

**RE: ACCESS TO COURT CASE
RECORDS**

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Angela A. Savino

Signature: /s/Angela A. Savino

Printed Name: Angela A. Savino

Attorney No. (If Applicable): 323473

Phone Number: 614-431-1500

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CONSTANCE M. MCCLUSKY and
THOMAS MCCLUSKY,

CIVIL DIVISION

Plaintiffs,

G.D. 20 - 001960

vs.

COMPLAINT IN CIVIL ACTION

VICTORIA'S SECRET, LLC

Defendant

Filed on behalf of Plaintiffs,
Constance M. McClusky and Thomas
McClusky

Counsel of Record:

William D. Phillips, Esquire
PA I.D. #05484

Laura D. Phillips, Esquire
PA I.D. #202204

**PHILLIPS, PHILLIPS
& SMITH-DELACH, P.C.**
29 East Beau Street
Washington, PA 15301
(724) 225-9933 – phone
(724) 225-4712 – fax
ldp@pflo.com

JURY TRIAL DEMANDED

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CONSTANCE M. MCCLUSKY and
THOMAS MCCLUSKY,

CIVIL DIVISION

Plaintiffs,

G.D. 20- 001960

vs.

VICTORIA'S SECRET, LLC

Defendant.

NOTICE TO DEFEND

TO: VICTORIA'S SECRET, LLC

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within TWENTY (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERRAL SERVICE
ALLEGHENY COUNTY BAR ASSOCIATION
11th Floor, Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 261-5555

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CONSTANCE M. MCCLUSKY and
THOMAS MCCLUSKY,

Plaintiffs,

vs.

VICTORIA'S SECRET, LLC

Defendant.

CIVIL DIVISION

G.D. 20 - 001960

COMPLAINT IN CIVIL ACTION

AND NOW come the Plaintiffs, Constance M. McClusky and Thomas McClusky, by and through their attorneys, PHILLIPS, PHILLIPS & SMITH-DELACH, P.C. and file the within Complaint in Civil Action and in support thereof aver and allege the following:

1. The Plaintiff, Constance M. McClusky (hereinafter "Wife-Plaintiff") is an adult individual residing at 138 Piatt Estates Drive, Washington, Washington County, PA 15301.

2. The Plaintiff, Thomas McClusky (hereinafter "Husband-Plaintiff") is an adult individual residing at 138 Piatt Estates Drive, Washington, Washington County, PA 15301. At all times pertinent hereto, the Plaintiffs were and are married and resided together.

3. The Defendant, Victoria's Secret, LLC (hereinafter "Victoria's Secret") is a corporation organized and existing pursuant to the laws of the State of Ohio, with a place of business located at 301 South Hills Village, Bethel Park, Allegheny County, Pennsylvania 15241.

4. At all times relevant hereto, Victoria's Secret leased, controlled, and/or maintained a place of business for the retail sale of women's clothing at 301 South Hills Village, to include the entrance into the Defendant's store, which entrance was covered with floor tile.

5. At all times material hereto, the Defendant Victoria's Secret was acting by and through its agents, ostensible agents, servants, and and/or employees, all of whom were acting within the course and scope of their agency and/or employment.

6. At all times material hereto, the Wife- Plaintiff, acted with all due care and regard for her own safety and well-being.

7. On or about August 5, 2019 at approximately 5:00 p.m., the Wife-Plaintiff was lawfully on the premises of the Defendant's retail store as a business invitee.

8. Wife-Plaintiff was emerging from Defendant Victoria's Secret store and traversing the entryway of the store when she encountered a hazardous condition consisting of a buildup of polish and/or cleaning product, which in turn caused the floor tiles to be excessively slippery, of which there was no warning.

9. The Defendant Victoria's Secret created and/or had actual and/or constructive notice of the aforementioned unsafe, dangerous and/or hazardous conditions prior to the date and time on which the fall that is the subject of this action occurred.

10. As a result of the unsafe, dangerous and/or otherwise hazardous condition, the Wife-Plaintiff was caused to fall, causing her to sustain severe and serious injuries as will be described herein.

COUNT I – NEGLIGENCE

CONSTANCE M. MCCLUSKY V. VICTORIA'S SECRET, LLC

11. Paragraphs 1 through 10, inclusive, are incorporated by reference the same as though set forth herein and at length.

12. The injuries and damages hereinafter alleged were the direct and proximate result of the negligence of Defendant, Victoria's Secret, which negligence includes:

- (a) Creating and perpetuating the unsafe, dangerous and/or otherwise hazardous condition consisting excessively slippery polished, waxed tile surface on the entryway to Defendant's place of business;
- (b) Failing to prevent the buildup of slippery, excessively waxed walking surface on the entryway to Defendant's place of business;
- (c) Failing to provide a proper, safe, non-slip surface on the floor of the entryway at the Defendant's place of business;
- (d) Failing to remedy the unsafe, dangerous and/or otherwise hazardous condition when the Defendant knew, or should have known of its existence and that it created a serious risk of injury to business invitees walking thereupon;
- (e) Failing to exercise reasonable care and inspection of the premises to ensure that employees of the Defendant took proper precautions to prevent build up excessive wax, or alternatively, to remediate the wax that existed;
- (f) Failing to properly supervise its agents, servants, and employees working at the subject premises with respect to the removal of excess wax build up from the surface of the entryway to the Defendants place of business;
- (g) Failing to warn or otherwise notify the Wife-Plaintiff of the dangerous and/or defective conditions on said property.
- (h) Failing to prevent wax/cleaning product from accumulating in an area where business invitees were required to traverse;
- (i) Failing to remedy the unsafe, dangerous and/or otherwise hazardous condition when the Defendant knew, or should have known of its existence and that it created a serious risk of injury to business invitees walking thereon;
- (j) Failing to cordon off or otherwise block access to the area where the dangerous conditions existed.

13. As the result of the negligence of the Defendant as aforesaid, the Wife-Plaintiff was caused to sustain the following injuries and damages, all of which are or may be of a severe, serious, and/or permanent nature:

- (a) A comminuted and displaced intraarticular fracture of the olecranon in her left upper extremity;
- (b) Injury to left triceps;
- (c) Injury to tendon and ligaments of the left upper extremity;
- (d) Left upper extremity pain and swelling;
- (e) Excision of left olecranon fracture and repair of triceps;
- (f) Restriction of motion and use of left upper extremity;
- (g) Scarring and disfigurement ;
- (h) Injury to nerves and nervous system;
- (i) Increased risk of future elbow and left upper extremity injury;
- (j) Loss of use of the left upper extremity;
- (k) Severe shock to her nerves and nervous system;
- (l) She has endured and will continue to endure great pain, suffering, inconvenience, embarrassment, mental anguish, and emotional and psychological trauma;
- (m) She has been and will be required to expend money for medical treatment and care, multiple surgeries, multiple hospitalization, medical supplies, rehabilitation and therapeutic treatment, medicines, and other attendant services;
- (n) Her general health, strength, and vitality have been impaired;
- (o) She has been scarred and disfigured; and
- (p) She has been, and will in the future be, unable to enjoy various pleasures of life that she previously enjoyed.

WHEREFORE, the Plaintiff, Constance M. McClusky brings this action against the Defendant, Victoria's Secret, LLC and demands judgment in her favor and against the Defendant in an amount in excess of the arbitration limits of this Court, plus costs and delay damages. JURY TRIAL DEMANDED.

COUNT II – LOSS OF CONSORTIUM

THOMAS MCCLUSKY V. VICTORIA'S SECRET, LLC

14. Paragraphs 1 through 13, inclusive, are incorporated by reference thereto the same as though set forth herein and at length.

15. As the direct and proximate result of the negligence of the Defendant as aforesaid, the Defendant is liable for the following damages:

- (a) The Husband-Plaintiff has been and will be deprived of the services, society, companionship, and consortium of the Wife-Plaintiff;
- (b) The Husband-Plaintiff has been and will be required to expend large sums of money for medical attention, hospitalizations, medical supplies, medicines, and attendant services for the treatment of the Wife-Plaintiff.

WHEREFORE, the Plaintiff, Thomas McClusky, in his own right, brings this action against the Defendant, Victoria's Secret, LLC and demands judgment in his favor and against the Defendant in an amount in excess of the arbitration limits of this Court, plus costs and delay damages. JURY TRIAL DEMANDED.

Respectfully submitted,

PHILLIPS, PHILLIPS & SMITH-DELACH, P.C.

By: _____

William D. Phillips, Esquire
Laura D. Phillips, Esquire
Attorneys for Plaintiffs

Jun 09 20, 06:01p

p.2

VERIFICATION

WE, CONSTANCE M. MCCLUSKY AND THOMAS MCCLUSKY have read the foregoing **COMPLAINT IN CIVIL ACTION**. The factual information therein which was provided by us to my attorneys is true and correct to the best of our personal knowledge, information or belief.

Any other contents of the Complaint in Civil Action, including additional factual information, legal theories or conclusions of law, have been prepared by my attorneys, who have signed the pleading, and are based upon their investigation and analysis of information available to them and the applicable law.

We make this statement subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.


DATE: 6/9/20Constance M. McClusky
CONSTANCE M. MCCLUSKYDATE: 6/9/20Thomas McClusky
THOMAS MCCLUSKY

CERTIFICATE OF SERVICE

I, William D. Phillips, Esquire, do hereby certify that a true and correct copy of the foregoing Complaint in Civil Action was emailed and mailed via United States Postal Service first-class mail, postage prepaid, this 11th day of June, 2020 to the below-listed counsel of record:

Joseph Morelli, Esquire
Perez & Morris, LLC
8000 Ravine's Edge Court
Suite 300
Columbus, OH 43235
jmorelli@perez-morris.com

PHILLIPS, PHILLIPS & SMITH-DELACH, P.C.

By: 

William D. Phillips, Esquire
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CONSTANCE M. MCCLUSKY and
THOMAS MCCLUSKY,

Plaintiffs,

vs.

VICTORIA'S SECRET LLC

Defendant.

CIVIL DIVISION

G.D. 20- 001960

STIPULATION TO SUBSTITUTE PARTY
AND AMEND CAPTION

Filed on behalf of Plaintiff,
Constance M. McClusky and
Thomas McClusky

Counsel of record:

William D. Phillips, Esquire
PA I.D.#: 05484

Laura D. Phillips, Esquire
PA I.D.#: 202204

PHILLIPS, PHILLIPS
& SMITH DELACH, P.C.

29 East Beau Street
Washington, PA 15301
(724) 225-9933 - phone
(412) 225-4712 - fax
ldp@pflo.com

JURY TRIAL DEMANDED

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION

CONSTANCE M. MCCLUSKY and
THOMAS MCCLUSKY,

Plaintiffs,

vs.

VICTORIA'S SECRET LLC

Defendant.

G.D. 20-001960

STIPULATION TO SUBSTITUTE PARTY AND AMEND CAPTION

AND NOW come the Plaintiffs, Constance M. McClusky and Thomas McClusky, by and through their attorneys, PHILLIPS, PHILLIPS & SMITH-DELACH, P.C. and file the within Stipulation to Substitute Party and Amend Caption:

1. Plaintiff initiated this action by filing a Praecipe for Writ of Summons on February 3, 2020.
2. Plaintiff filed a Complaint on June 10, 2020.
3. Plaintiff's Complaint identifies Husband-Plaintiff as Thomas McClusky.
4. The proper legal name of Husband- Plaintiff is John Thomas McClusky.
5. The proper legal name of Victoria's Secret LLC is Victoria's Secret Stores, LLC.
6. Accordingly, it is hereby stipulated and agreed by counsel for all parties, each having the authority of their respective clients and consequently the capacity to bind each, that John Thomas McClusky will be substituted as the Husband-Plaintiff and Victoria's Secret Stores, LLC will be substituted for Defendant.
7. All references to Thomas McClusky in any documents or pleadings filed prior to the date of this stipulation by any party shall be interpreted as referencing John Thomas McClusky. All

references to Victoria's Secret LLC shall be interpreted as referencing Victoria's Secret Stores, LLC.

8. Further, it is hereby stipulated and agreed by counsel for all parties, each having the authority of their respective clients and consequently the capacity to bind each, that the caption shall be amended going forward to reflect the correct name of the Husband-Plaintiff and Defendant as follows:

IN THE COUNTY OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION

CONSTANCE M. MCCLUSKY and
JOHN THOMAS MCCLUSKY,

G.D. No. 20- 001960

Plaintiff,

v.

VICTORIA'S SECRET STORES, LLC,

Defendant.

PHILLIPS, PHILLIPS & SMITH-DELACH, P.C.

By: 

William D. Phillips, Esquire
Laura D. Phillips, Esquire
Attorneys for Plaintiffs

STIPULATED AND AGREED TO BY:

By: 

Angela Alexander Savino, Esquire
Perez & Morris, LLC
8000 Ravine's Edge Court
Suite 300
Columbus, OH 43235
Attorney for Defendant

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION

CONSTANCE M. MCCLUSKY and
THOMAS MCCLUSKY,

Plaintiffs,

vs.

VICTORIA'S SECRET LLC

Defendant.

G.D. 20 - 001960

ORDER OF COURT

AND NOW, this 18th day of June, 2020, upon presentation of the within Stipulation to Substitute Party and Amend Caption, it is hereby ORDERED, ADJUDGED, and DECREED that John Thomas McClusky is substituted for Thomas McClusky as the Husband-Plaintiff, and Victoria's Secret Stores, LLC is substituted for Victoria's Secret LLC, in this matter. It is ORDERED, ADJUDGED and DECREED that all references to Thomas McClusky in any previously filed documents or pleadings shall be interpreted as referencing John Thomas McClusky. It is further ORDERED, ADJUDGED and DECREED that all references to Victoria's Secret LLC in any previously filed documents or pleadings shall be interpreted as referencing Victoria's Secret Stores, LLC. It is further ORDERED, ADJUDGED and DECREED that the caption shall be amended to read as follows:

IN THE COUNTY OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION

CONSTANCE M. MCCLUSKY and
JOHN THOMAS MCCLUSKY,

G.D. No. 20- 001960

Plaintiff,

v.

VICTORIA'S SECRET STORES, LLC,
Defendant.

BY THE COURT:

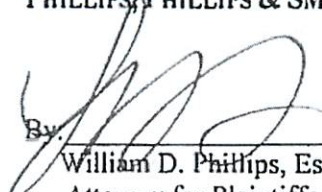
_____.J.

CERTIFICATE OF SERVICE

I, William D. Phillips, Esquire, do hereby certify that a true and correct copy of the foregoing was emailed and mailed via United States Postal Service first-class mail, postage prepaid, this 18th day of June, 2020 to the below-listed counsel of record:

Angela Savino, Esquire
Perez & Morris, LLC
8000 Ravine's Edge Court
Suite 300
Columbus, OH 43235
Attorney for Defendant

PHILLIPS, PHILLIPS & SMITH-DELACH, P.C.

By: 

William D. Phillips, Esquire
Attorney for Plaintiffs

FILED

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION

20 JUN 24 AM 8:40

CONSTANCE M. MCCLUSKY and
THOMAS MCCLUSKY,

Plaintiffs,

vs.

VICTORIA'S SECRET LLC

Defendant.

G.D. 20 - 001960

DEPT OF COURT RECORDS
CIVIL FAMILY DIVISION
ALLEGHENY COUNTY, PA

ORDER OF COURT

AND NOW, this 22nd day of June, 2020, upon presentation of the within Stipulation to Substitute Party and Amend Caption, it is hereby ORDERED, ADJUDGED, and DECREED that John Thomas McClusky is substituted for Thomas McClusky as the Husband- Plaintiff and Victoria's Secret Stores, LLC is substituted for Victoria's Secret, LLC, in this matter. It is ORDERED, ADJUDGED and DECREED that all references to Thomas McClusky in any previously filed documents or pleadings shall be interpreted as referencing John Thomas McClusky. It is further ORDERED, ADJUDGED and DECREED that all references to Victoria' Secret LLC in any previously filed documents or pleadings shall be interpreted as referencing Victoria's Secret Stores, LLC. It is further ORDERED, ADJUDGED and DECREED that the caption shall be amended to read as follows:

IN THE COUNTY OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION

CONSTANCE M. MCCLUSKY and
JOHN THOMAS MCCLUSKY,

G.D. No. 20- 001960

Plaintiff,

v.

VICTORIA'S SECRET STORES, LLC,

Defendant.

BY THE COURT:

Judge John T. McVay Jr.